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5) Docket No.: 50395-124

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277

Makoto KATAYAMA, et al. : Confirmation Number: 6868

Serial No.: 09/993,410 (: Group Art Unit: 2871

: Allowed: November 05, 2003 Filed: November 21, 2001 : Examiner: Caley, Michael

For: VARIABLE OPTICAL ATTENUATOR (As Amended)

LETTER UNDER 37 CFR 1.312 AND REQUEST FOR CLARIFICATION

Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants are in receipt of the Notice of Allowance mailed April 8, 2004.

The Notice of Allowability indicates that claims 1, 2 and 4-13 have been allowed. This is incorrect. The total allowed claims should read 1, 2 and 4-12 Claim 13 is nonexistent.

It is respectfully requested that a Supplemental Notice of Allowability be mailed correcting this error and that the records of the Patent Office be corrected to ensure that the deed of Letters Patent will be printed correctly.

Respectfully submitted,

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Date: May 13, 2004